

West Virginia Department of Environmental Protection  
Division of Air Quality

Earl Ray Tomblin  
Governor

Randy C. Huffman  
Cabinet Secretary

# Permit to Operate



Pursuant to  
**Title V**  
of the Clean Air Act

*Issued to:*  
**Monongahela Power Company**  
**Rivesville Power Station**  
**R30-04900009-2014**

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*John A. Benedict*  
*Director*

*Issued: Pre-Draft/Proposed • Effective: [Equals issue date plus two weeks]*

*Expiration: [5 years after issuance date] • Renewal Application Due: [6 months prior to expiration]*

Permit Number: **R30-04900009-2014**  
Permittee: **Monongahela Power Company**  
Facility Name: **Rivesville Power Station**  
Permittee Mailing Address: **800 Cabin Hill Drive, Greensburg, PA 15601**

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*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

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|---------------------------|---|
| Facility Location:        | Rivesville, Marion County, West Virginia                |
| Facility Mailing Address: | Jackson Street, R19, P.O. Box 190, Rivesville, WV 26588 |
| Telephone Number:         | (304) 278-2242  |
| Type of Business Entity:  | Corporation   |
| Facility Description:     | Electric Generation Service                             |
| SIC Codes:                | Primary 4911; Secondary N/A; Tertiary N/A               |
| UTM Coordinates:          | 575.93 km Easting • 4374.28 km Northing • Zone 17       |

Permit Writer: Frederick Tipane

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.*

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**APPENDIX B** – 45CSR2 & 45CSR10 Monitoring Plan

## 1.0 Emission Units and Active R13, R14, and R19 Permits

### 1.1 Emission Units

| Emission Unit ID | Emission Point ID          | Emission Unit Description  | Year Installed | Design Capacity       | Control Device    |
|------------------|----------------------------|--|----------------|-----------------------|-------------------|
| B5               | STACK 7                    | Boiler #5: Foster Wheeler, Vertically-fired, dry bottom drum boiler              | 1944           | 639 MMBtu/hr          | ESP #7            |
| B6               | STACK 8                    | Boiler #6: Babcock & Wilcox Top-fired drum boiler                                | 1952           | 1,027 MMBtu/hr        | ESP #8            |
| AuxB 9A          | Auxiliary Stack            | Auxiliary Boiler #9A – Johnson Boiler Co., Full Wet Back, Model PFTA 500-4LG150S | 1989           | 20.1 MMBtu/hr         | N/A               |
| AuxB 9B          | Auxiliary Stack            | Auxiliary Boiler #9B – Johnson Boiler Co., Full Wet Back, Model PFTA 500-4LG150S | 1989           | 20.1 MMBtu/hr         | N/A               |
| EDG              | Emergency Diesel Generator | Cummins Model 680F0C40DA, oil-fired  | 1967           | 350 KW<br>469 HP      | N/A               |
| Conv01           | Hopper #1 Flight Conveyor  | Belt Wall Conveyor   | 1992           | 325 ft/min<br>300 TPH | Partial Enclosure |
| Conv02           | 30" Incline Conveyor       | Incline Belt Conveyor  | 1936           | 325 ft/min<br>330 TPH | Partial Enclosure |
| Conv03           | Chain Bucket Elevator      | Chain Bucket Elevator  | 1965           | 96 ft/min<br>300 TPH  | Partial Enclosure |
| Conv04           | No. 2A Stationary Belt     | Stationary Belt Conveyor   | 1965           | 400 ft/min<br>300 TPH | Partial Enclosure |
| Conv05           | Hopper #2 Skip Hoist       | Skip Hoist   | 1936           | 150 ft/min<br>180 TPH | Partial Enclosure |
| Conv06           | No. 2 Stationary Belt      | Stationary Belt Conveyor   | 1936           | 400 ft/min<br>480 TPH | Partial Enclosure |
| Conv07           | Tripper Belt 7-8           | Stationary Belt Conveyor   | 1951           | 400 ft/min<br>480 TPH | Partial Enclosure |
| Conv08           | Storage Belt               | Belt Conveyor with telescopic chute  | 1951           | 420 ft/min<br>480 TPH | Partial Enclosure |
| Conv09           | Drag Conveyor              | Stationary Belt Conveyor   | 1951           | 300 TPH               | Partial Enclosure |
| Conv10           | Reclaim Bucket Elevators   | Bucket Elevators   | 1951           | 150 TPH               | Partial Enclosure |
| Conv11           | Return Belt                | Belt Conveyor  | 1951           | 300 TPH               | Partial Enclosure |

| Emission Unit ID       | Emission Point ID      | Emission Unit Description     | Year Installed | Design Capacity            | Control Device    |
|------------------------|------------------------|-------------------------------|----------------|----------------------------|-------------------|
| CR-1, CR-2             | CR-1, CR-2             | Hammer Mill Crushers          | 1940<br>1951   | 200 TPH<br>300 TPH         | Partial Enclosure |
| #7 Bunker<br>#8 Bunker | #7 Bunker<br>#8 Bunker | Coal Storage Bunkers          | 1940<br>1951   | 1,080 tons<br>1,886 tons   | None              |
| Barge Unloader         | Barge Unloader         | Unload Coal from Barges       | 1954/1984      | 300 TPH                    | Partial Enclosure |
| Fly Ash Silo           | Fly Ash Silo           | Fly Ash Storage Silo          | 1949           | 200 Tons                   | Baghouse          |
| CT                     | Cooling Tower          | Marley (Closed Cooling Tower) | 1956           | N/A                        | None              |
| CCB                    | CCB                    | Ash/CCB Disposal Area         | Unknown        | N/A                        | Water Truck       |
| CS                     | Stockpiles             | Active Coal<br>Inactive Coal  | 1951           | 10,000 tons<br>20,000 tons | Water Spray       |
| PR                     | PR                     | Paved Roadways                | N/A            | N/A                        | Water Truck       |
| UPR                    | UPR                    | Unpaved Roadways              | N/A            | N/A                        | Water Truck       |

## 1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

| Permit Number | Date of Issuance |
|---------------|------------------|
| R13-1098B     | June 1, 2004     |

## 2.0 General Conditions

### 2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

### 2.2. Acronyms

|                                       |   |                        |   |
|---------------------------------------|---|------------------------|---|
| <b>CAAA</b>                           | Clean Air Act Amendments                                  | <b>NSPS</b>            | New Source Performance                        |
| <b>CBI</b>                            | Confidential Business Information                         |                        | Standards                                     |
| <b>CEM</b>                            | Continuous Emission Monitor                               | <b>PM</b>              | Particulate Matter                            |
| <b>CES</b>                            | Certified Emission Statement                              | <b>PM<sub>10</sub></b> | Particulate Matter less than 10µm in diameter |
| <b>C.F.R. or CFR</b>                  | Code of Federal Regulations                               |                        |   |
| <b>CO</b>                             | Carbon Monoxide   | <b>pph</b>             | Pounds per Hour                               |
| <b>C.S.R. or CSR</b>                  | Codes of State Rules                                      | <b>ppm</b>             | Parts per Million                             |
| <b>DAQ</b>                            | Division of Air Quality                                   | <b>PSD</b>             | Prevention of Significant Deterioration       |
| <b>DEP</b>                            | Department of Environmental Protection                    | <b>psi</b>             | Pounds per Square Inch                        |
| <b>FOIA</b>                           | Freedom of Information Act                                | <b>SIC</b>             | Standard Industrial Classification            |
| <b>HAP</b>                            | Hazardous Air Pollutant                                   |                        |   |
| <b>HON</b>                            | Hazardous Organic NESHAP                                  | <b>SIP</b>             | State Implementation Plan                     |
| <b>HP</b>                             | Horsepower  | <b>SO<sub>2</sub></b>  | Sulfur Dioxide                                |
| <b>lbs/hr or lb/hr</b>                | Pounds per Hour   | <b>TAP</b>             | Toxic Air Pollutant                           |
| <b>LDAR</b>                           | Leak Detection and Repair                                 | <b>TPY</b>             | Tons per Year                                 |
| <b>m</b>                              | Thousand  | <b>TRS</b>             | Total Reduced Sulfur                          |
| <b>MACT</b>                           | Maximum Achievable Control Technology                     | <b>TSP</b>             | Total Suspended Particulate                   |
| <b>mm</b>                             | Million   | <b>USEPA</b>           | United States Environmental Protection Agency |
| <b>mmBtu/hr</b>                       | Million British Thermal Units per Hour                    | <b>UTM</b>             | Universal Transverse Mercator                 |
| <b>mmft<sup>3</sup>/hr or mmcf/hr</b> | Million Cubic Feet Burned per Hour                        | <b>VEE</b>             | Visual Emissions Evaluation                   |
| <b>NA or N/A</b>                      | Not Applicable  |                        |   |
| <b>NAAQS</b>                          | National Ambient Air Quality Standards                    | <b>VOC</b>             | Volatile Organic Compounds                    |
| <b>NESHAPS</b>                        | National Emissions Standards for Hazardous Air Pollutants |                        |   |
| <b>NO<sub>x</sub></b>                 | Nitrogen Oxides   |                        |   |

### **2.3. Permit Expiration and Renewal**

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.  
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.  
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.  
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.  
[45CSR§30-6.3.c.]

### **2.4. Permit Actions**

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
[45CSR§30-5.1.f.3.]

### **2.5. Reopening for Cause**

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
  - a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
  - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
  - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

- d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

## **2.6. Administrative Permit Amendments**

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.

[45CSR§30-6.4.]

## **2.7. Minor Permit Modifications**

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.

[45CSR§30-6.5.a.]

## **2.8. Significant Permit Modification**

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.

[45CSR§30-6.5.b.]

## **2.9. Emissions Trading**

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.

[45CSR§30-5.1.h.]

## **2.10. Off-Permit Changes**

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:

- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
- b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- c. The change shall not qualify for the permit shield.



- d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.
- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

**[45CSR§30-5.9.]**

**2.11. Operational Flexibility**

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

**[45CSR§30-5.8]**

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

**[45CSR§30-5.8.a.]**

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

**[45CSR§30-5.8.c.]**

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.39]

## **2.12. Reasonably Anticipated Operating Scenarios**

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
  - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
  - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

## **2.13. Duty to Comply**

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

## **2.14. Inspection and Entry**

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

## **2.15. Schedule of Compliance**

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
  - a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
  - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

## **2.16. Need to Halt or Reduce Activity not a Defense**

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

## **2.17. Emergency**

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

**[45CSR§30-5.7.c.]**

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

**[45CSR§30-5.7.d.]**

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**[45CSR§30-5.7.e.]**

## **2.18. Federally-Enforceable Requirements**

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

**[45CSR§30-5.2.a.]**

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

## **2.19. Duty to Provide Information**

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

**[45CSR§30-5.1.f.5.]**

## **2.20. Duty to Supplement and Correct Information**

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

**[45CSR§30-4.2.]**

## **2.21. Permit Shield**

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

**[45CSR§30-5.6.a.]**

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

**[45CSR§30-5.6.c.]**

## **2.22. Credible Evidence**

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

**[45CSR§30-5.3.e.3.B. and 45CSR38]**

## **2.23. Severability**

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

**[45CSR§30-5.1.e.]**

## **2.24. Property Rights**

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

**[45CSR§30-5.1.f.4]**

## **2.25. Acid Deposition Control**

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

**[45CSR§30-5.1.d.]**

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

**[45CSR§30-5.1.a.2.]**

### 3.0 Facility-Wide Requirements

#### 3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1.  
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.  
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.  
[40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.  
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.  
[45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.  
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

**[40 C.F.R. 82, Subpart F]**

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

**[40 C.F.R. 68]**

- 3.1.9. **CAIR NO<sub>x</sub> Annual Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR39 for each CAIR NO<sub>x</sub> Annual source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.

**[45CSR§§39-6.1.b. and 20.1.]**

- a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§39-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR39, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Annual allowance to or from the compliance account of the CAIR NO<sub>x</sub> Annual source covered by the permit.

**[45CSR§39-23.2.]**

- b. Except as provided in 45CSR§39-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.

**[45CSR§39-24.1.]**

- 3.1.10. **CAIR NO<sub>x</sub> Ozone Season Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR40 for each CAIR NO<sub>x</sub> Ozone Season source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.

**[45CSR§§40-6.1.b. and 20.1.]**

- a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§40-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from the compliance account of the CAIR NO<sub>x</sub> Ozone Season source covered by the permit.

**[45CSR§40-23.2.]**

- b. Except as provided in 45CSR§40-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.

**[45CSR§40-24.1.]**

- 3.1.11. **CAIR SO<sub>2</sub> Trading Program.** The permittee shall comply with the standard requirements set forth in the attached CAIR Permit Application (see Appendix A) and the CAIR permit requirements set forth in 45CSR41 for each CAIR SO<sub>2</sub> source. The complete CAIR Permit Application shall be the CAIR Permit portion of the Title V permit administered in accordance with 45CSR30.

**[45CSR§§41-6.1.b. and 20.1.]**



- a. The CAIR Permit portion of this permit is deemed to incorporate automatically the definitions of terms under 45CSR§41-2 and, upon recordation by the Administrator under sections 51 through 57, or 60 through 62 of 45CSR41, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from the compliance account of the CAIR SO<sub>2</sub> source covered by the permit.

[45CSR§41-23.2.]

- b. Except as provided in 45CSR§41-23.2, the Secretary will revise the CAIR Permit portion of this permit, as necessary, in accordance with the operating permit revision requirements set forth in 45CSR30.

[45CSR§41-24.1.]

- 3.1.12. **Fugitive Particulate Matter Control.** No person shall cause, suffer, allow, or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter. Sources of fugitive particulate matter associated with fuel burning units shall include, but not be limited to, the following:

- a. Stockpiling of ash or fuel either in the open or in enclosures such as silos;
- b. Transport of ash in vehicles or on conveying systems, to include spillage, tracking, or blowing of particulate matter from or by such vehicles or equipment; and
- c. Ash or fuel handling systems and ash disposal areas.

[45CSR§2-5.1]

## 3.2. Monitoring Requirements

- 3.2.1. *Reserved*

## 3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements

which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.

- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
  1. The permit or rule evaluated, with the citation number and language.
  2. The result of the test for each permit or rule condition.
  3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15), 45CSR2, 45CSR10 and 45CSR13]

### **3.4. Recordkeeping Requirements**

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
  - a. The date, place as defined in this permit and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report,

application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

**[45CSR§30-5.1.c.2.B.]**

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

**[45CSR§30-5.1.c. State-Enforceable only.]**

- 3.4.4. The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility. The permittee shall also inspect all fugitive dust control systems weekly from May 1 through September 30 and monthly from October 1 through April 30 to ensure that they are operated and maintained in conformance with their designs. The permittee shall maintain records of all scheduled and non-scheduled maintenance and shall state any maintenance or corrective actions taken as a result of the weekly and/or monthly inspections, the times the fugitive dust control system(s) were inoperable and any corrective actions taken.

**[45CSR§30-5.1.c.]**

### **3.5. Reporting Requirements**

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**[45CSR§§30-4.4. and 5.1.c.3.D.]**

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

**[45CSR§30-5.1.c.3.E.]**

- 3.5.3. Except for the electronic submittal of the annual certification to the USEPA as required in 3.5.5 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

#### **If to the DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
  
Phone: 304/926-0475  
FAX: 304/926-0478

#### **If to the US EPA:**

Associate Director  
Office of Air Enforcement and Compliance  
Assistance (3AP20)  
U. S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.  
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: [R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov). The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.  
[45CSR§30-5.3.e.]
- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.  
[45CSR§30-5.1.c.3.A.]
- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.
- 3.5.8. **Deviations.**
- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
  3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
  4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.  
[45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.  
[45CSR§30-4.3.h.1.B.]

### 3.6. Compliance Plan

- 3.6.1. None.

### 3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

|                            |     |  |
|----------------------------|-----|--|
| 45CSR5                     | --- | The coal handling operations are regulated by 45CSR2 and therefore are exempt in accordance with 45CSR§§5-2.4.b. & 2.14.   |
| 45CSR§10-8                 | --- | The Auxiliary Boilers combust natural gas or distillate oil only and are exempt in accordance with 45CSR§10-10.3   |
| 45CSR17                    | --- | The facility is regulated by 45CSR2 and therefore exempt in accordance with 45CSR§17-6.  |
| 40 CFR Part 60, Subpart D  | --- | The main boilers (B5 & B6) commenced construction prior to August 17, 1971.  |
| 40 CFR Part 60, Subpart Da | --- | The main boilers (B5 & B6) commenced construction prior to September 18, 1978.   |
| 40 CFR Part 60, Subpart Db | --- | The main boilers (B5 & B6) commenced construction prior to June 19, 1984; the auxiliary Boilers (9A & 9B) each have heat input capacities of less than 100 MMBtu/hr.   |
| 40 CFR Part 60, Subpart Dc | --- | The auxiliary boilers (9A & 9B) commenced construction prior to June 9, 1989.  |
| 40 CFR Part 60, Subparts K | --- | Rivesville Power Station does not have any tanks storing petroleum liquids (as defined in 40 CFR §60.111) that were constructed after March 8, 1974 and prior to May 19, 1978 and exceed 40,000 gallons in capacity. |

|                                |     |   |
|--------------------------------|-----|---|
| 40 CFR Part 60, Subparts Ka    |     | Rivesville Power Station does not have any tanks storing petroleum liquids (as defined in 40 CFR §60.111a) that were constructed after May 18, 1978 and exceed 40,000 gallons in capacity.  |
| 40 CFR Part 60, Subpart Kb     | --- | Rivesville Power Station does not have any tanks that were constructed after July 23, 1984 that (a) exceed 75m <sup>3</sup> (19,813 gal) in capacity and store volatile organic liquids (as defined in 40 CFR §60.111b) with a maximum true vapor pressure greater than 15.0 kPa (2.18 psia) or (b) exceed 151m <sup>3</sup> (39,864 gal) in capacity and store volatile organic liquids with a maximum true vapor pressure greater than 3.5 kPa (0.51 psia). |
| 40 CFR Part 60, Subpart Y      | --- | The coal handling facility commenced construction or modification before October 24, 1974.  |
| 40 CFR Part 60, Subpart IIII   | --- | The emergency generators commenced construction prior to July 11, 2005  |
| 40 CFR Part 63, Subpart Q      | --- | The cooling tower does not use chromium-based water treatment chemicals.  |
| GHG Clean Air Act requirements |     | This is a renewal Title V permit and there have not been any modifications that would have triggered a PSD permit.  |

#### **4.0 Boilers [emission point ID(s): *STACK 7, STACK 8, Auxiliary Stack*]**

##### **4.0.1. Emergency Operating Scenarios**

In the event of an unavoidable shortage of fuel having characteristics or specifications necessary to comply with the visible emission standard set forth in permit condition 4.1.2. and/or 4.1.12. of this permit, or any emergency situation or condition creating a threat to public safety or welfare, the Secretary may grant an exemption to the otherwise applicable visible emission standards for a period not to exceed fifteen (15) days, provided that visible emissions during that period do not exceed a maximum six (6) minute average of thirty (30) percent and that a reasonable demonstration is made by the owner or operator that the weight emission standards under permit conditions 4.1.4., 4.1.5. and/or 4.1.14. of this permit, will not be exceeded during the exemption period.

**[45CSR§2-10.1.]**

Due to unavoidable malfunction of equipment or inadvertent fuel shortages, emissions exceeding those provided for in this rule (i.e., 45CSR10) may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the equipment malfunction or fuel shortage. In cases of major equipment failure or extended shortages of conforming fuels, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.

**[45CSR§10-9.1.]**

#### **4.1. Limitations and Standards**

4.1.1. At all times, including periods of start-ups, shutdowns and malfunctions, owners and operators shall, to the extent practicable, maintain and operate any fuel burning unit(s) including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, visible emission observations, review of operating and maintenance procedures and inspection of the source.

**[45CSR§2-9.2.]**

##### **Boilers #5 and #6 (STACK 7 & STACK 8)**

###### Visible Emissions and Particulate Matter

4.1.2. Visible Emissions from each stack shall not exceed ten (10) percent opacity based on a six minute block average.

**[45CSR§2-3.1.]**

4.1.3. The visible emission standards shall apply at all times except in periods of start-ups, shutdowns and malfunctions.

**[45CSR§2-9.1.]**

4.1.4. Particulate matter emissions from Boiler #5 (*STACK 7*) shall not exceed 31.95 lb/hr.

**[45CSR§2-4.1.a.]**

4.1.5. Particulate matter emissions from Boiler # 6 (*STACK 8*) shall not exceed 51.35 lb/hr.

**[45CSR§2-4.1.a.]**

- 4.1.6. The addition of sulfur oxides to a combustion unit exit gas stream for the purpose of improving emissions control equipment efficiency is prohibited unless written approval for such addition is provided by the Secretary.  
**[45CSR§2-4.4.]**

Sulfur Dioxide (SO<sub>2</sub>)

- 4.1.7. Sulfur dioxide emissions from the Boiler #5 (STACK 7) shall not exceed 1182.15 lb/hr. *Compliance with this streamlined limit assures compliance with 45 CSR§10-3.3.b.*  
**[Consent Order dated August 31, 1989, 45CSR§10-3.3.b.]**
- 4.1.8. Sulfur dioxide emissions from the Boiler # 6 (STACK 8) shall not exceed 1899.95 lb/hr. *Compliance with this streamlined limit assures compliance with 45 CSR§10-3.3.b.*  
**[Consent Order dated August 31, 1989, 45CSR§10-3.3.b.]**
- 4.1.9. Compliance with the allowable sulfur dioxide emission limitations from fuel burning units shall be based on a continuous twenty-four (24) hour averaging time. Emissions shall not be allowed to exceed the weight emissions standards for sulfur dioxide as set forth in 45CSR10, except during one (1) continuous twenty-four (24) hour period in each calendar month. During this one (1) continuous twenty-four hour period, emissions shall not be allowed to exceed such weight emission standards by more than ten percent (10%) without causing a violation of 45CSR10. A continuous twenty-four (24) hour period is defined as one (1) calendar day. (STACK 7, STACK 8, Auxiliary Stack)  
**[45CSR§10-3.8.]**

Acid Rain Program

- 4.1.10. Unit No. 7 and Unit No. 8 are Phase II Acid Rain affected units under 45CSR33, as defined by 40 C.F.R § 72.6, and as such are required to meet the requirements of 40 CFR Parts 72, 73, 74, 75, 76, 77 and 78. These requirements include, but are not limited to:
- a. Hold an Acid Rain permit
  - b. Hold allowances, as of the allowance transfer deadline, in the unit's compliance sub-account of not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit;
  - c. Comply with the applicable Acid Rain emissions for sulfur dioxide;
  - d. Comply with the applicable Acid Rain emissions for nitrogen oxides;
  - e. Comply with the monitoring requirements of 40 CFR 75 and section 407 of the Clean Air Act of 1990 and regulations implementing section 407 of the Act;
  - f. Submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72, Subpart I and 40 CFR 75.

**[45CSR33, 40 CFR Parts 72, 73, 74, 75, 76, 77, 78.]**



**4.1.11. Electric Utility Steam Generating Units (EGU) MACT, 40 CFR 63, Subpart UUUUU:**

- a. The coal-fired Electric Utility Steam Generating Units B5 and B6 shall comply with all applicable requirements for existing affected sources, pursuant to 40 CFR 63, Subpart UUUUU “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units” no later than the existing source compliance date of April 16, 2015, or as amended by US EPA.
- b. If required to conduct an initial compliance demonstration by performance testing as specified in §63.10011(a), you must submit a Notification of Compliance Status (NOCS) report according to §63.9(h)(2)(ii). The NOCS report must contain all of the information specified in §63.10030(e)(1)-(7), as applicable. If required to submit a Notification of Compliance Status pursuant to 40 CFR 63, Subpart UUUUU, the permittee shall also submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of the rule no later than the maximum time allowed for the NOCS submittal in 40 CFR §63.10030(e). If requested, this Title V permitting deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date.

**[45CSR34; 40 CFR 63, Subpart UUUUU, 45CSR§30-6.5.b.]**

**Auxiliary Boilers AuxB 9A and AuxB 9B (Auxiliary Stack)**

- 4.1.12. Visible Emissions from each stack shall not exceed ten (10) percent opacity based on a six minute block average.  
**[45CSR§2-3.1.]**
- 4.1.13. The visible emission standards shall apply at all times except in periods of start-ups, shutdowns and malfunctions.  
**[45CSR§2-9.1.]**
- 4.1.14. Particulate matter emissions from AuxB 9A and AuxB 9B (Auxiliary Stack) shall not exceed 3.62 lb/hr.  
**[45CSR§2-4.1.b.]**
- 4.1.15. Emissions from the single stack venting the two (2) #2 fuel/oil gas-fired Scotch Marine boilers (auxiliary boilers) shall not exceed the following limitations:

| Pollutant        | Emissions Limit |       |
|------------------|-----------------|-------|
|                  | pph             | tpy   |
| PM <sub>10</sub> | 1.0             | 1.68  |
| SO <sub>2</sub>  | 19.8*           | 33.26 |
| NO <sub>x</sub>  | 3.2             | 5.38  |
| VOC              | 0.1             | 0.17  |
| CO               | 0.32            | 0.54  |

*\*Compliance with this hourly streamlined SO<sub>2</sub> limit assures compliance with 45CSR§10-3.3.f.*

**[45CSR13, R13-1098 §A.1., 45CSR§10-3.3.f.]**

- 4.1.16. Fuel burned by the subject Scotch Marine boilers (auxiliary boilers) shall consist of # 2 fuel oil and/or natural gas only.

**[45CSR13, R13-1098 §A.2.]**

- 4.1.17. Maximum sulfur content of # 2 fuel oil burned in the boilers shall not exceed 0.5 percent by weight of sulfur.

**[45CSR13, R13-1098 §A.3.]**

- 4.1.18. Operation of the boilers shall be only during times that the “main” boilers at the Station are down, except for:

- a. Four (4) hours prior to a main boiler startup and/or four (4) hours subsequent to a main boiler shutdown, for maintenance of plant heat.
- b. Those times requiring testing or maintenance of the two (2) Scotch Marine boilers.
- c. In the event of an emergency situation where auxiliary boiler support is necessary to support main boiler operations.

**[45CSR13, R13-1098 §A.4.]**

- 4.1.19. Maximum annual operation of the Individual Scotch Marine boilers (auxiliary boilers) shall not exceed three thousand, three hundred and sixty (3360) hours per year.

**[45CSR13, R13-1098 §A.5.]**

- 4.1.20. Maximum design heat input (MDHI) to an individual Scotch Marine Boiler (auxiliary boiler) shall not exceed 20.41 MMBTU/hr.

**[45CSR13, R13-1098 §A.6.]**

- 4.1.21. **Industrial, Commercial, and Institutional Boilers and Process Heaters MACT, 40 CFR 63, Subpart DDDDD:**

- a. The oil/natural gas fired auxiliary boilers (*AuxB 9A and AuxB 9B*), shall comply with all applicable requirements for existing affected sources pursuant to 40 CFR 63, Subpart DDDDD, "National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters no later than the existing source compliance date of January 31, 2016, or as amended by US EPA..

**[45CSR34; 40 CFR §63.7495(b).]**

- b. If required to submit a Notification of Compliance Status (NOCS) pursuant to 40 CFR 63, Subpart DDDDD, the permittee shall also submit a complete application for significant modification to the Title V permit to incorporate the specific requirements of the rule no later than the maximum time allowed for the NOCS submittal in 40 CFR §63.7545(e).

If requested, this Title V permitting deadline may be changed upon written approval by the Director. The permittee shall request the change in writing at least 30 days prior to the application due date.

**[45CSR34; 40 CFR §63.7545(e); 45CSR§30-6.5.b.]**

## 4.2. Monitoring Requirements

- 4.2.1. Compliance with the visible emission requirements for *STACK 7*, *STACK 8* and *Auxiliary Stack* shall be determined as outlined in Section I. of the DAQ approved “45CSR2 Monitoring Plan” attached in Appendix B of this permit.  
**[45CSR§2-3.2. & 8.1.a. & 8.2. 40 CFR §64.3(b)(1)]**
- 4.2.2. Compliance with sections 4.1.7., 4.1.8., 4.1.9. and the SO<sub>2</sub> limits of 4.1.15. of this permit shall be demonstrated by testing and/or monitoring in accordance with one or more of the following: 40 CFR Part 60, Appendix A, Method 6, Method 15, continuous emissions monitoring systems (CEMS) or fuel sampling and analysis as set forth in an approved monitoring plan for each emission unit.  
**[45CSR§10-8.2.c.]**
- 4.2.3. The owner or operator shall install, calibrate, certify, operate, and maintain continuous monitoring systems that measure opacity and all SO<sub>2</sub>, and NO<sub>x</sub>, emissions from emission points *STACK 7* and *STACK 8* as specified in 40 CFR Part 75 and measure CO<sub>2</sub> emissions from emission points *STACK 7* and *STACK 8* as specified in 40 CFR Part 75. Stack flow data shall be monitored and recorded on a continuous basis by certified CEMs. The one minute average opacity data shall be used as an input to calculate one minute PM emission rates. Opacity shall be measured and collected via a certified Data Acquisition System (DAS) on a continuous basis with the exception of QC/QA periods, monitor malfunctions periods, and periods where the boiler is off-line. Stack flow and CO<sub>2</sub> data is collected via a certified DAS on a continuous basis, with the exception of periods where the boiler is off-line (no flame), and hourly averages are calculated from these minute averages.  
**[45CSR33, 40 CFR § 75.10, 40 CFR §64.3(b)(1), and §64.3(b)(4)]**
- 4.2.4. The Data Acquisition System (DAS) shall be programmed to calculate PM emissions (lb/hr) from opacity data. The equation used to calculate TSP emissions will be developed using the opacity vs. TSP concentration correlation curves as determined by particulate testing with the TEOM 7000. The opacity vs. TSP concentration curve will be developed using at least 1,000 paired data points that will attempt to capture a normal full daily cycle of operations. An excursion shall be defined as a 3-hour block average where the calculated PM emission rate exceeds the limit established in 45CSR§2-4.1.a. (31.95 lb/hr for Boiler #5; 51.35 lb/hr for Boiler #6), or any six-minute block average opacity exceeding 10%.  
**[45CSR§30-5.1.c. and 40 CFR § 64.3(b)(1)]**
- 4.2.5. The COM and CEMs QA/QC procedures shall be consistent with the applicable requirements of 40 CFR Part 75.  
**[40 CFR §75.21 and 40 CFR §64.3(b)(3)]**
- 4.2.6. The PM emission data collected by the TEOM 7000 shall be validated in accordance with manufacturer’s recommendations as approved by EPA in the alternative Reference Method approval letter dated October 3, 2002, from Conniesue B. Oldham, EPA to Mr. Edward C. Burgher of Rupprecht & Patashnick Co., Inc.  
**[45CSR§30-5.1.c. and 40 CFR §64.3(b)(3)]**
- 4.2.7. **Proper Maintenance** – At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.  
**[45CSR§30-5.1.c. and 40 CFR §64.7(b)]**
- 4.2.8. **Continued operation** - Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and

span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

[45CSR§30-5.1.c. and 40 CFR §64.7(c)]

#### 4.2.9. **Response to Excursions or Exceedances**

- a. Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- b. Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

[45CSR§30-5.1.c. and 40 CFR §64.7(d)]

- 4.2.10. **Documentation of Need for Improved Monitoring** – After approval of monitoring under 40 C.F.R. Part 64, if the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Director and, if necessary, submit a proposed modification to the permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

[45CSR§30-5.1.c. and 40 CFR §64.7(e)]

### 4.3. **Testing Requirements**

- 4.3.1. The owner or operator shall conduct, or have conducted, tests to determine the compliance of Boiler #5 (*STACK 7*) and Boiler #6 (*STACK 8*) with the particulate matter weight emission standards (in lbs/hr). Such tests shall be conducted in accordance with the appropriate method set forth in 45CSR2 Appendix - Compliance Test Procedures for 45CSR2 or other equivalent EPA approved method approved by the

Secretary. Such tests shall be conducted in accordance with the schedule set forth in the following table and based on the most recent accepted test results.

| Test         | Test Results  | Testing Frequency |
|--------------|---|-------------------|
| Annual       | After three successive tests indicate mass emission rates $\leq 50\%$ of weight emission standard       | Once/3 years      |
| Annual       | After two successive tests indicate mass emission rates between 50% and 80% of weight emission standard | Once/2 years      |
| Annual       | Any tests indicates a mass emission rate $\geq 80\%$ of weight emission standard                        | Annual            |
| Once/2 years | After two successive tests indicate mass emission rates $\leq 50\%$ of weight emission standard         | Once/3 years      |
| Once/2 years | Any tests indicates a mass emission rate between 50% and 80% of weight emission standard                | Once/2 years      |
| Once/2 years | Any tests indicates a mass emission rate $\geq 80\%$ of weight emission standard                        | Annual            |
| Once/3 years | Any tests indicates a mass emission rate $\leq 50\%$ of weight emission standard                        | Once/3 years      |
| Once/3 years | Any test indicates mass emission rates between 50% and 80% of weight emission standard                  | Once/2 years      |
| Once/3 years | Any test indicates a mass emission rate $\geq 80\%$ of weight emission standard                         | Annual            |

[45CSR§2-8.1., 45CSR§2A-5.2.]

#### 4.4. Recordkeeping Requirements

- 4.4.1. Records of monitored data established in the monitoring plan (see Appendix B) shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.  
[45CSR§2-8.3.a.]
- 4.4.2. Records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit, shall be maintained on-site in a manner to be established by the Secretary and made available to the Secretary or his the operating duly authorized representative upon request.  
[45CSR§2-8.3.c.]
- 4.4.3. Compliance with Section 4.1.19. of this permit will be deemed to be satisfied by keeping record of the number of hours the individual Scotch Marine boilers (auxiliary boilers) operated  
[45CSR13, R13-1098 §B.1.]
- 4.4.4. Compliance with Section 4.1.20. of this permit will be deemed to be satisfied by keeping record of # 2 fuel oil and natural gas BTU content and record of the quantity of # 2 fuel oil and natural gas used during the period the Scotch Marine boilers (auxiliary boilers) are operated.

The BTU content of the #2 fuel oil and natural gas used can be obtained by initial characterization of the #2 fuel oil and natural gas BTU content or by a fuel supply contract specifying the maximum BTU content of the fuel to be delivered. Such data may be obtained from the supplier(s), ASTM testing, or other method approved by the Director.

**[45CSR13, R13-1098 §B.2.]**

- 4.4.5. Compliance with Section 4.1.17. will be deemed to be satisfied by keeping records of an initial characterization of the # 2 fuel oil sulfur content or by a fuel supply contract specifying the maximum sulfur content of the fuel to be delivered. Such data may be obtained from the supplier(s), ASTM testing or other method approved by the Director.

**[45CSR§30-5.1.c.]**

- 4.4.6. For CAM, the owner or operator shall comply with the recordkeeping requirements of permit conditions 3.4.1. and 3.4.2. The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to 40 CFR §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 CFR Part 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

- a. Opacity - One minute data shall be stored and averaged from continuous readings, and hourly averages in turn, shall be calculated and stored from the one-minute data.
- b. PM (CEMs and Calculated PM Emission Rates) - One minute data, calculated from the one-minute average opacity data shall be used to calculate a 1-hour block average which shall be used to calculate a 3-hour block average, all of which shall be stored on a certified DAS.

**[45CSR§30-5.1.c. and 40 CFR §64.9(b)]**

#### **4.5. Reporting Requirements**

- 4.5.1. The designated representative shall electronically report SO<sub>2</sub>, NO<sub>x</sub>, and CO<sub>2</sub> emissions data and information as specified in 40 CFR § 75.64 to the Administrator of USEPA, quarterly. Each electronic report must be submitted within thirty (30) days following the end of each calendar quarter.

**[45CSR33, 40 CFR § 75.64]**

- 4.5.2. A periodic exception report shall be submitted to the Secretary, in a manner and at a frequency to be established by the Secretary. Compliance with the periodic exception reporting shall be demonstrated as outlined in sections III.C. and IV.C. of the DAQ approved “45CSR2 &10 Monitoring Plan” attached in Appendix B of this permit. (*STACK 7, STACK 8*).

**[45CSR§2-8.3.b. and 45CSR§10-8.3.b.]**

- 4.5.3. Excess opacity periods resulting from any malfunction of Boiler #5 or Boiler #6 or their air pollution control equipment, meeting the following conditions, may be reported on a quarterly basis unless otherwise required by the Secretary:

- a. The excess opacity period does not exceed thirty (30) minutes within any twenty-four (24) hour period; and

- b. Excess opacity does not exceed forty percent (40%).

**[45CSR§2-9.3.a.]**

4.5.4. Except as provided in permit condition 4.5.3. above, the owner or operator shall report to the Secretary by telephone, telefax, or e-mail any malfunction of Boiler #5 or Boiler #6 or their associated air pollution control equipment, which results in any excess particulate matter or excess opacity, by the end of the next business day after becoming aware of such condition. The owner or operator shall file a certified written report concerning the malfunction with the Secretary within thirty (30) days providing the following information:

- a. A detailed explanation of the factors involved or causes of the malfunction;
- b. The date, and time of duration (with starting and ending times) of the period of excess emissions;
- c. An estimate of the mass of excess emissions discharged during the malfunction period;
- d. The maximum opacity measured or observed during the malfunction;
- e. Immediate remedial actions taken at the time of the malfunction to correct or mitigate the effects of the malfunction; and
- f. A detailed explanation of the corrective measures or program that will be implemented to prevent a recurrence of the malfunction and a schedule for such implementation.

**[45CSR§2-9.3.b.]**

4.5.5. For CAM, monitoring reports shall be submitted to the director and at a minimum shall include and be in accordance with information in permit conditions 3.5.6. and 3.5.8. as applicable. Also, at a minimum, the following information, as applicable, shall be included:

- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
- b. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
- c. If a Quality Improvement Plan (QIP) is required, a description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

**[45CSR§30-5.1.c. and 40 CFR §64.9(a)]**

**4.6. Compliance Plan**

- 4.6.1. None.



## **5.0 Emergency Diesel Generator [emission point ID(s): *EDG*]**

### **5.1. Limitations and Standards**

5.1.1. The permittee must comply with the general provisions of 40 C.F.R. as shown in Table 8 of 40 C.F.R. 63 Subpart ZZZZ except for the following as per 40 C.F.R. §63.6645(a)(5): 40 C.F.R. §§63.7(b) and (c), 40 C.F.R. §§63.8(e), (f)(4), and (f)(6), and 40 C.F.R. §§63.9(b)-(e), (g) and (h).  
**[45CSR34; 40 CFR §63.6665, 40 CFR §63.6645(a)(5), Table 8 of 40 CFR 63 Subpart ZZZZ]**

5.1.2. You must comply with the following requirements at all times<sup>1</sup>:

- a. You must operate and maintain the EDG and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
- b. You must install a non-resettable hour meter if one is not already installed.
- c. Change oil and filter every 500 hours of operation or annually, whichever comes first.<sup>2</sup>
- d. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
- e. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup>
- f. During periods of startup, minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

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<sup>1</sup> If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of 40 CFR 63 Subpart ZZZZ, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

<sup>2</sup> Sources have the option to utilize an oil analysis program as described in 40 CFR §63.6625(i) in order to extend the specified oil change requirement in Table 2c of 40 CFR 63 Subpart ZZZZ.

<sup>3</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR §63.6(g) for alternative work practices.

**[45CSR34; 40 CFR §§63.6605(a), 63.6625(e)(2), (f), (h) & (i), 63.6602 and 63.6640(a); 40 CFR 63 Subpart ZZZZ Table 2c Item 1 and Table 9 Item 9]**

5.1.3. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control



practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**[45CSR34; 40 CFR §63.6605(b)]**

- 5.1.4. Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in §63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

**[45CSR34; 40 CFR §63.6604(b)]**

- 5.1.5. The following requirements are taken verbatim (including paragraph numbering) from 40 CFR 63 Subpart ZZZZ, §63.6640(f) and are applicable to the emergency generator engine “EDG”

If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

- (1) There is no time limit on the use of emergency stationary RICE in emergency situations.
- (2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).
  - (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
  - (ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has

declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

**[45CSR34; 40 CFR §63.6640(f)]**

## **5.2. Monitoring Requirements**

5.2.1. Reserved

## **5.3. Testing Requirements**

5.3.1. Reserved

## **5.4. Recordkeeping Requirements**

5.4.1. Records must be kept as described below:

a. A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

**[45CSR34; 40 CFR §63.6655(a)(1)]**

b. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

**[45CSR34; 40 CFR §63.6655(a)(2)]**

c. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

**[45CSR34; 40 CFR §63.6655(a)(5)]**

d. You must keep the records required in Table 6 of 40 CFR 63 Subpart ZZZZ to show continuous compliance with each operating limitation that applies to you.

**[45CSR34; 40 CFR §63.6655(d)]**

- e. You must keep records of the maintenance conducted on the emergency generator engine “EDG” in order to demonstrate that you operated and maintained the engine according to your own maintenance plan.  
**[45CSR34; 40 CFR §63.6655(e)]**
- f. You must keep records of the hours of operation of emergency generator engine “EDG” that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.  
**[45CSR34; 40 CFR §63.6655(f)]**
- g. Records must be in a form suitable and readily available for expeditious review according to 40 CFR §63.10(b)(1).  
**[45CSR34; 40 CFR §63.6660(a)]**
- h. As specified in 40 CFR §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.  
**[45CSR34; 40 CFR §63.6660(b)]**
- i. You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR §63.10(b)(1).  
**[45CSR34; 40 CFR §63.6660(c)]**

## **5.5. Reporting Requirements**

- 5.5.1. You must report each instance in which you did not meet each requirement in Table 2c, to 40 CFR 63 Subpart ZZZZ for existing compression ignition stationary RICE located at a major source of HAP emissions that apply to you. (*The Table 2c requirements for “EDG” pertain to routine maintenance and repair and startup operations and are listed in condition 5.1.2. of this permit*). These instances are deviations from 40 CFR 63 Subpart ZZZZ and must be reported according to the requirements in 40 CFR §63.6650 (i.e., in the semiannual monitoring report required by condition 3.5.6.).  
**[45CSR34; 40 CFR §§63.6640(b) and 63.6650(f)]**
- 5.5.2. You must also report each instance in which you did not meet the requirements in Table 8 to 40 CFR 63 Subpart ZZZZ that apply to you.  
**[45CSR34; 40 CFR §63.6640(e)]**
- 5.5.3. The permittee must comply with the reporting requirements of 40 C.F.R. §63.6650(h).  
**[45CSR34; 40 CFR §63.6650(h)]**

## **5.6. Compliance Plan**

- 5.6.1. None.

## **APPENDIX A**

CAIR Permit Application



# CAIR Permit Application

Page 1

For sources subject to the Clean Air Interstate Rule Trading Programs under 45CSR39, 45CSR40 and 45CSR41, the West Virginia Department of Environmental Protection, Division of Air Quality has prepared this CAIR Permit Application. Please refer to sections 21 and 22 of 45CSR39, 45CSR40 and 45CSR41, as applicable.

This submission is: ☒ New ☐ Revised

**STEP 1**  
Identify the source by plant name, and ORIS or facility code

|                          |                         |                    |
|--------------------------|-------------------------|--------------------|
| Rivesville Power Station | 4900009                 | 3945               |
| Plant Name               | West Virginia ID Number | ORIS/Facility Code |

**STEP 2**  
Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

| Unit ID# | NO <sub>x</sub> Annual | NO <sub>x</sub> Ozone Season | SO <sub>2</sub> Annual |
|----------|------------------------|------------------------------|------------------------|
| Unit 7   | X                      | X                            | X                      |
| Unit 8   | X                      | X                            | X                      |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |
|          |                        |                              |                        |

**STEP 3**  
Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

## Standard Requirements

### (a) Permit Requirements.

(1) The CAIR designated representative of each CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) required to have a Title V operating permit and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) required to have a Title V operating permit at the source shall:

(i) Submit to the Secretary a complete CAIR permit application under 45CSR§39-22, 45CSR§40-22 and 45CSR§41-22 (as applicable) in accordance with the deadlines specified in 45CSR§39-21, 45CSR§40-21 and 45CSR§41-21 (as applicable); and

(ii) Submit in a timely manner any supplemental information that the Secretary determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) required to have a Title V operating permit and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) required to have a Title V operating permit at the source shall have a CAIR permit issued by the Secretary under sections 20 through 24 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in sections 80 through 88 of 45CSR39, 45CSR40 and 45CSR41, the owners and operators of a CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) that is not otherwise required to have a Title V operating permit and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application and to have a CAIR permit, under sections 20 through 24 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) for such CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) and such CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable).

STEP 3,  
continued

(b) Monitoring, reporting and recordkeeping requirements.

(1) The owners and operators and the CAIR designated representative, of each CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) at the source shall comply with the monitoring, reporting and recordkeeping requirements of sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable).

(2) The emissions measurements recorded and reported in accordance with sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) shall be used to determine compliance by each CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) with the CAIR NO<sub>x</sub> Annual emissions limitation, CAIR NO<sub>x</sub> Ozone Season emissions limitation and CAIR SO<sub>2</sub> emissions limitation (as applicable) under 45CSR§39-6.3, 45CSR§40-6.3 and 45CSR§41-6.3 (as applicable).

(c) Nitrogen oxides annual emissions requirements.

(1) As of the allowance transfer deadline for the 2009 control period and each control period thereafter, the owners and operators of each CAIR NO<sub>x</sub> Annual source and each CAIR NO<sub>x</sub> Annual unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Annual allowances available for compliance deductions for the control period under 45CSR§39-54.1 in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> Annual units at the source, as determined in accordance with sections 70 through 75 of 45CSR39.

(2) A CAIR NO<sub>x</sub> Annual unit shall be subject to the requirements under 45CSR§39-6.3.a for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, or 70.2.e of 45CSR39, and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> Annual allowance shall not be deducted, for compliance with the requirements under 45CSR§39-6.3.a, for the control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Annual allowance was allocated.

(4) CAIR NO<sub>x</sub> Annual allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with sections 50 through 62, and 80 through 88 of 45CSR39.

(5) A CAIR NO<sub>x</sub> Annual allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§39-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> Annual allowance does not constitute a property right.

(7) Upon recordation by the Administrator under sections 40 through 62, and 80 through 88 of 45CSR39, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Annual allowance to or from a CAIR NO<sub>x</sub> Annual source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for the 2009 ozone season and each ozone season thereafter, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the ozone season under 45CSR§40-54.1 in an amount not less than the tons of total nitrogen oxides emissions for the ozone season from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with sections 70 through 75 of 45CSR40.

(2) A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under 45CSR§40-6.3.a for the ozone season starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, 70.2.c or 70.2.g of 45CSR40 and for each ozone season thereafter.

(3) A CAIR NO<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under 45CSR§40-6.3.a, for an ozone season in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with sections 50 through 62, and 80 through 88 of 45CSR40.

(5) A CAIR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§40-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subdivision 43.3, sections 51 through 57, 60 through 62, and 80 through 88 of 45CSR40, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

(e) Sulfur dioxide annual emission requirements.

(1) As of the allowance transfer deadline for the 2010 control period and each control period thereafter, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period, as determined in accordance with subsections 54.1 and 54.2 of 45CSR§41 in an amount not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with sections 70 through 75 of 45CSR41.

(2) A CAIR SO<sub>2</sub> unit shall be subject to the requirements under 45CSR§41-6.3.a for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under subdivisions 70.2.a, 70.2.b, or 70.2.e of 45CSR41 and for each control period thereafter.

(3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under 45CSR§41-6.3.a, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.

(4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with sections 51 through 62, and 80 through 88 of 45CSR41.

(5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 45CSR§41-5 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR SO<sub>2</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under sections 51 through 57, 60 through 62, and 80 through 88 of 45CSR41, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in any CAIR permit of the source.

**STEP 3,  
continued**

**(f) Excess emissions requirements.**

(1) If a CAIR NO<sub>x</sub> Annual source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Annual emissions limitation, then:

(i) The owners and operators of the source and each CAIR NO<sub>x</sub> Annual unit at the source shall surrender the CAIR NO<sub>x</sub> Annual allowances required for deduction under 45CSR§39-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR39, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(2) If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any ozone season in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

(i) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under 45CSR§40-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR40, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

(3) If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:

(i) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under 45CSR§41-54.4.a and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or West Virginia Code §22-5-1 et seq; and

(ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 45CSR41, the Clean Air Act, and West Virginia Code §22-5-1 et seq.

**(g) Recordkeeping and Reporting Requirements.**

(1) Unless otherwise provided, the owners and operators of a CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Secretary or the Administrator.

(i) The certificate of representation under 45CSR§39-13, 45CSR§40-13 and 45CSR§41-13 (as applicable) for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 45CSR§39-13, 45CSR§40-13 and 45CSR§41-13 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable), provided that to the extent that sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable) provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program and CAIR SO<sub>2</sub> Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program and CAIR SO<sub>2</sub> Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program and CAIR SO<sub>2</sub> Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) and each CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program and CAIR SO<sub>2</sub> Trading Program (as applicable) including those under sections 70 through 75 of 45CSR39, 45CSR40 and 45CSR41 (as applicable).

**(h) Liability.**

(1) Each CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) and each NO<sub>x</sub> unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program and CAIR SO<sub>2</sub> Trading Program (as applicable).

(2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program or CAIR SO<sub>2</sub> Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source or CAIR SO<sub>2</sub> source (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source or CAIR SO<sub>2</sub> source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> Annual units, CAIR NO<sub>x</sub> Ozone Season units or CAIR SO<sub>2</sub> units (as applicable) at the source.

(3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program or CAIR SO<sub>2</sub> Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> Annual unit, CAIR SO<sub>2</sub> unit or CAIR NO<sub>x</sub> Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit or CAIR SO<sub>2</sub> unit (as applicable) shall also apply to the owners and operators of such unit.

**(i) Effect on Other Authorities.**

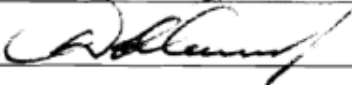
No provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR NO<sub>x</sub> Ozone Season Trading Program and CAIR SO<sub>2</sub> Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under 45CSR§39-5, 45CSR§40-5, or 45CSR§41-5 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> Annual source, CAIR NO<sub>x</sub> Ozone Season source and CAIR SO<sub>2</sub> source (as applicable) or CAIR NO<sub>x</sub> Annual unit, CAIR NO<sub>x</sub> Ozone Season unit and CAIR SO<sub>2</sub> unit (as applicable) from compliance with any other provision of the applicable, approved State Implementation plan, a federally enforceable permit, or the Clean Air Act.

Plant Name **Rivesville Power Station**

STEP 3,  
continued

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

|   |                       |
|---|-----------------------|
| CAIR Designated Representative <b>David C. Cannon Jr.</b>                                   |                       |
| Signature  | Date <b>6/24/2007</b> |



## **APPENDIX B**

45CSR2 & 45CSR10 Monitoring Plan

**Monitoring and Recordkeeping Plan**  
**45 CSR 2 and 45 CSR 10**  
**Utility Boilers**

**Facility Information:**

Facility Name: Rivesville Power Station

Facility Address: Rivesville Power Station  
Jackson Street  
Rivesville, WV 26588

Facility Contact: Jonathan Smith  
Telephone (304) 278-2242  
FAX # (304) 278-2214

Regional Director: James E. Laughner  
Harrison Power Station  
Telephone (304) 584-2233

Environmental Manager: Jeannine Hammer  
Monroeville Energy Center  
Telephone (412) 858-1668

**Facility Description:** (Plant ID # 4900009)

Rivesville Power Station is a coal-fired electric generating facility with two main combustion units (Units 5 & 6) with in-service dates of 1944 and 1951 respectively, discharging through two individual stacks. Stacks 7 & 8 each have a height of approximately 152'. Stack 7 has an outlet diameter of approximately 8.5', Stack 8 has an outlet diameter of approximately 9.0'. There are no cooling towers. Each unit has an electrostatic precipitator (ESP) with 99.5% removal efficiency. Rivesville Power Station has two auxiliary boilers (9A and 9B) with a common auxiliary stack. Each unit has a design heat input greater than 10mmBtu/hr making them subject to 45CSR 2 and 45 CSR 10.

**I. 45 CSR 2 Monitoring Plan:**

In accordance with §. 8.2A of 45 CSR 2, the following proposed plan is for monitoring compliance with opacity limits found in § 3 of that rule:

**A. Stacks 7 and 8**

1. Applicable Standard: 10% opacity based on a six-minute block average 45 CSR 2, § 3.1.

2. Monitoring Methods(s)

- a. The primary method for monitoring opacity at the Rivesville Power Station will be Continuous Opacity Monitors (COMS). The COMS are installed, maintained and operated in compliance with 40 CFR Part 60 (NSPS) and Part 75 (Acid Rain).

Other Credible Monitoring Method(s): Rivesville Power Station is reserving the right to use Method 9 readings, or any other appropriate method that would produce credible data. These "other monitoring methods" will generally be used in the absence of COMS data or as other credible evidence used in conjunction with COMS data. If used, Method 9 readings, with a minimum duration of 30 minutes, will be conducted daily when following conditions are met: 1) The auxiliary boiler has operated at normal, stable load conditions for at least 24 consecutive hours, and 2) weather/lighting conditions are conducive to taking proper Method 9 readings.

**B. Auxiliary Stack**

1. Applicable Standard: 10% opacity based on a six-minute block average 45 CSR 2, § 3.1.
2. Other Standards: The weight emission limit for the auxiliary stack has been established by Permit R13-1098A (effective June 22, 1989) as 1.0 lb/hr and 1.68 tons/year. These limits have been incorporated into the stack registration tables attached to this Monitoring Plan.
3. Monitoring Method(s)

Rivesville Power Station is exempt from the periodic testing requirements of 45 CSR 2 Section 8.1.a and the monitoring requirements of 45 CSR 2 Section 8.2 with respect to the auxiliary boilers, based upon a design heat input of 20.9 mmBtu/hr for each unit. Ref. 45 CSR 2 Section 8.4.c.

**II. 45 CSR 10 Monitoring Plan:**

In accordance with § 8.2c of 45 CSR 10, following is the proposed plan for monitoring compliance with the sulfur dioxide weight emission standards. For Rivesville, the limit expressed in § 3 of this rule has been replaced with the limit established by Consent Order dated August 31, 1989:

**A. Stacks 7 and 8**

1. Applicable Standard: The product of 1.85 and the total design heat inputs for all units discharging through the stacks in million BTU's per hour. Compliance with the SO<sub>2</sub> limit is based on a continuous 24-hour averaging

time. 45 CSR 10, § 3.3b. , Consent Order (August 31, 1989).

2. **Primary Monitoring Method:** The primary method of monitoring SO<sub>2</sub> mass emissions from Stacks 7 and 8 will be Continuous Emission Monitors (CEMS). The CEMS are installed, maintained and operated in compliance with 40 CFR Part 75. As specified in 45 CSR 10, § 8.2.c.1, measurement with a certified CEMS shall satisfy the monitoring plan requirements.
3. **Other Credible Monitoring Methods:** While CEMS is the primary monitoring method, in the absence of CEMS, we reserve the right to use ASTM compliant fuel sampling and analysis or any other appropriate method that would produce credible data.

#### **B. Auxiliary Stack**

1. **Applicable Standard:** Permit R13-1098 (June 22, 1989) establishes the SO<sub>2</sub> limit for the auxiliary stack as 19.8 lbs/hour and 33.26 tons/year. The product of 3.2 and the total design heat inputs for Type "b" fuel burning units, as stated in 45 CSR 10 § 3.3.f, does not apply. These limits have been incorporated into the stack registration tables attached to this Monitoring Plan. Compliance with the SO<sub>2</sub> limit is based on a continuous 24-hour averaging time. Ref 45 CSR 10, § 3.8.
2. **Monitoring, Recordkeeping, and Exception Reporting Requirements:** The Rivesville Power Station auxiliary boilers (and stack) are exempt from the Testing, Monitoring, Recordkeeping, and Reporting requirements found under 45 CSR 10, § 8 in accordance with 45 CSR 10 § 10.3 because the fuel burning sources combust either natural gas, distillate oil, or a combination of the two. 45 CSR 10, § 3.8 also contains the requirement for the development of a monitoring plan. Because the burning of distillate oil results in an SO<sub>2</sub> emission rate well below the standard, fuel sampling and analysis may continue to be performed at this facility, but will be done so at the discretion of the owner/operator. Because the burning of natural gas results in negligible SO<sub>2</sub> emission rates, fuel sampling and analysis of natural gas will not be performed. It is not required by this monitoring plan for the purposes of indicating compliance of the auxiliary boilers with SO<sub>2</sub> standards.

### **III. 45 CSR 2 Recordkeeping and Reporting Plan**

#### **A. Operating Schedule and Quality/Quantity of Fuel Burned**

1. The owner or operator of a fuel burning unit(s) shall maintain records of the operating schedule, and the quality and quantity of fuel burned in each fuel burning unit as determined in 45 CSR 2A, § 7.1.a.

2. Pipeline quality natural gas only, If used: such record shall include, but not limited to, the date and time of start-up and shutdown, and the quantity of fuel consumed on a monthly basis as determined in 45 CSR 2A, § 7.1.a.1.
3. Distillate oil only: such records shall include, but not be limited to, the date and time of start-up and shutdown, the quantity of fuel consumed on a monthly basis as determined in 45 CSR 2A, § 7.1.a.2.
4. Coal only: such records shall include, but not be limited to, the date and time of start-up and shutdown, the quantity of fuel consumed on a daily basis and an ash, BTU and sulfur content analysis for each shipment as determined in 45 CSR 2A, § 7.1.a.4.
5. Alternative, and/or opportunity fuel(s): such records shall include, but not be limited to, the date and time of start-up and shutdown, and fuel quality analysis as approved by the director as determined by 45 CSR 2A, § 7.1.a.5.
6. Combination of fuels: the owner or operator shall comply with the applicable recordkeeping requirements of §§ 7.1.a.1 through 7.1.a.5 for each fuel burned as determined in 45 CSR 2A, § 7.1.a.6.

**B. Record Maintenance**

1. Records of all required monitoring data and support information shall be maintained on-site for a period of at least five (5) Years from the date of monitoring, sampling, testing, measurement and reporting. Support information includes all calibration and maintenance records, strip charts, and copies of all required reports. In the case of auxiliary boilers, strip chart recordings, etc., are generally not available.

**C. Exception Reporting**

1. Compliance with the reporting and testing requirements under the Appendix to 45 CSR 2 shall fulfill the requirement for a periodic exception report under subdivision 8.3.b or 45 CSR 2 – 45 CSR 2A, § 7.2.a.
2. COMS: “Summary Report and/or Monitoring System Performance Report”: Each owner or operator employing COMS as the method for monitoring opacity shall submit a summary report and /or an excursion and COMS monitoring system report to the Director on a quarterly basis (within 30 days of the end of the quarter). The Director may require more frequent reporting if deemed necessary to accurately assess compliance. The COMS summary report will be in an already established format, or one specified by the Director.
  - a. If the duration of excursions for the reporting period is less than one percent (1%) of the total operating time and monitoring system downtime for the reporting period is less than five percent (5%) of

the total operating time, the summary report shall be submitted to the Director, the excursion and COMS monitoring system report shall be maintained on-site and shall be submitted to the Director upon request. Ref 45 CSR 2A, § 7.2.b.1.

- b. If the total duration of excursions for the reporting period is one percent (1%) or greater of the total operating time, or total monitoring system downtime for the reporting period is five percent (5%) or greater, both reports shall be submitted to the Director. Ref 45 CSR 2A, § 7.2.b.2.
  - c. The excursion and COMS monitoring system report shall be in a format approved by the Director and shall include, but not be limited to the following information. Ref 45 CSR 2A, §§. 7.2.b.3, 7.2.b.3.A, B, C, D, and E.
  - d. The magnitude of each excursion, including the date and time, and the starting and ending times of each excursion.
  - e. Specific identification of each excursion that occurs during start-ups, shutdowns and malfunctions.
  - f. The nature and cause of any excursion (if known), and the corrective action taken and preventative measures adopted (if any).
  - g. The date and time identifying each period during which quality controlled (assured) monitoring data was unavailable, except for zero and span checks, and the reason for data unavailability and the nature of repairs or adjustments to the monitoring system.
  - h. When no excursions have occurred or there were no periods of quality controlled data unavailability, and no monitoring systems were inoperative, repaired, or adjusted, such information shall be stated in the report.
3. Non-COMS Based Monitoring, Summary Report and Excursion Report. Each owner or operator employing non-COMS based monitoring shall submit a monitoring summary report and/or an excursion report to the Director on a quarterly basis (within 30 days of the end of the quarter). The Director may request more frequent reporting if deemed necessary to accurately assess the compliance of the units. The report shall be in a format approved by the Director. Ref. 45 CSR 2A, § 7.2.c.
- a. If the total number of excursions for the reporting period is less than one percent (1%) of the total number of readings for the reporting period and the number of readings missing for the reporting period is less than five percent (5%) of the total number

of readings agreed upon in the monitoring plan, the monitoring summary report shall be submitted to the Director, and the excursion report shall be maintained on-site and shall be submitted to the Director upon request. Ref 45 CSR 2A, § 7.2.c.1.

- b. If the number of excursions for the reporting period is one percent (1%) or greater of the total number of readings for the reporting period or the number of readings missing for the reporting period is five percent (5%) or greater, the monitoring plan summary report

and the excursion report shall both be submitted to the Director. Ref 45 CSR 2A, § 7.2.c.2.

- c. The excursion and monitoring plan report shall be in a format approved by the Director and shall include, but not be limited to, the information as outlined in Paragraph C.2.d, e, f, g, and h of this plan.

- d. To the extent that an excursion is due to a malfunction, the reporting requirements in section 9 of 45 CSR 2 shall be followed. Ref. 45 CSR 2A, § 7.2.d.

- 4. Pursuant to 45 CSR 2, Section 8.4.a, Rivesville Power Station is petitioning the Office of Air Quality (OAQ) Chief for alternative reporting requirements for the auxiliary boiler and associated stack.

a. As an alternative to the testing and exception reporting requirements for particulate mass emissions from the auxiliary boilers, we propose that the fuel analysis records maintained under the fuel quality analysis and recordkeeping section of this plan provide sufficient evidence of compliance with the particulate mass emission limit. Based on an average heat content (distillate oil) of approximately 139,000 Btu/gallon and an AP-42 based particulate mass emissions emission factor of 2 lbs/thousand gallons, the calculated particulate mass emissions of the auxiliary boilers are 0.01 lb/mmBtu for each boiler. Based on an average heat content (natural gas) of approximately 1,000 Btu/scf and an AP-42 based filterable PM emission factor of 1.9 lb/Mcf, the calculated particulate mass emissions of the auxiliary boilers are 1.9 lb/mmBtu for each boiler. Hence, it is estimated that each boiler has a total calculated particulate mass emissions of approximately 1.91 lb/mmBtu per year. For the purpose of meeting exception reporting requirements for fuel oil, any fuel oil analysis indicating a heat content of less than 25,000 Btu/gallon will be reported to the OAQ to fulfill the requirement for a periodic exception report under 45 CSR 2 Section 8.3.b. and 45 CSR 2A, § 7.2.a. A heat content of 25,000 Btu/gal and a particulate emissions factor of 2 lbs/thousand gallons would result in a calculated particulate mass emissions of approximately 90% of the

applicable 45 CSR 2 weight emission standard. Ref. 45 CSR 2 Section 4.1.b.

- b. To the extent that an excursion is due to a malfunction, the reporting requirements of 45 CSR 2 Section 9 shall be followed. Ref. 45 CSR 2A, § 7.2.d.

If no exceptions have occurred during the quarter, then a report will be submitted to the OAQ stating so. This will include periods in

which no Method 9 tests were conducted (e.g. unit out of service) or when no fuel oil was received.

#### **IV. 45 CSR 10 Recordkeeping and Reporting Plan**

##### **A. Operating Schedule and Quality/Quantity of Fuel Burned**

- 1. The owner or operator of a fuel burning unit(s) shall maintain records of the operating schedule and the quality and quantity of fuel burned in each unit. Such records shall include, but not be limited to, the date and time of start-up and shutdown, the quantity of fuel consumed on a daily basis, and a periodic fuel quality analysis as set forth below. Ref. 45 CSR 10 A, § 7.1.a:
  - a.  $\geq 90\%$  of Factor            daily
  - b.  $< 90\%$  of Factor            per shipment

The owner or operator shall provide in the monitoring plan a quality control and quality assurance program for the fuel analysis. If a certified independent laboratory is used to provide the fuel analysis, the quality control and assurance program is deemed to be satisfactory. Ref. 45 CSR 10A, §7.1.a.1.

- c. The owner/operator of fuel burning units utilizing CEMS shall be exempt from the provisions of 7.1.a and 7.1.b. Ref. 45 CSR 10A, §7.1.c.

##### **B. Record Maintenance**

- 1. For fuel burning units, and combustion sources, records of all required monitoring data and support information shall be maintained on-site for a period of at least five (5) years from the date of monitoring, sampling, measurement or reporting. Support information includes all calibration and maintenance records and all strip chart recordings, and copies of all reports. Ref. 45 CSR 10A, § 7.1.d.



### C. Exception Reporting

1. CEMS – each owner or operator employing CEMS for an approved monitoring plan shall submit a CEMS summary report and/or an excursion report quarterly (within 30 days of end of quarter) to the Director. The Director may request more frequent reports if deemed necessary to assess compliance of the units. The CEMS report shall be submitted in a format approved by the Director, or as specified by the Director. Ref 45 CSR 10A, § 7.2.a
  - a. Submittal of 40 CFR Part 75 data in electronic data reporting (EDR) format to the Director shall be deemed to satisfy the requirements of Section 7.2.a. Ref 45 CSR 10A, § 7.2.a.1
2. If the total duration of excursions for the reporting period is less than four percent (4%) of the total source operating time for the reporting period and the total monitoring method downtime for the reporting period is less than five percent (5%) of the total source operating time for the reporting period, only the CEMS summary shall be submitted. The excursion summary shall be maintained on-site and shall be submitted to the Director upon request. Ref 45 CSR 10A, § 7.2.a.2.
3. If the total duration of excursions for the reporting period is four percent or greater of the total operating time for the reporting period or the total monitoring method downtime for the reporting period is five percent (5%) or greater of the total operating time for the reporting period, the CEMS summary report and the excursion report shall both be submitted to the Director. Ref. 45 CSR 10A, § 7.2.a.3.
4. The CEMS excursion and monitoring report shall be in format approved by the Director and shall include the following information. Ref. 45 CSR 10 A, § 7.2.a.4.
  - a. The magnitude of each excursion, and the date and time, including starting and ending times of each excursion. Ref. 45 CSR 10A, § 7.2.a.4.A.
  - b. Specific identification of each excursion that occurs during startups, shutdowns, and malfunctions of the facility. Ref. 45 CSR10A, § 7.2.a.4.B.
  - c. The nature and cause of any malfunction (if known), and the corrective action taken and preventive measures adopted. Ref. 45 CSR 10A, § 7.2.a.4.C.
  - d. The date and time identifying each period during which quality assured data was unavailable, except for zero and span checks, and the reason

- e. for data unavailability and the nature of the repairs or adjustments to the monitoring system. Ref. 45 CSR 10A, § 7.2.a.4.D.
  - f. When no excursions have occurred or there were no periods of quality assured unavailability, and no monitoring systems were inoperative, repaired, or adjusted, such information shall be stated in the report. Ref. 45 CSR 10A, § 7.2.a.4.E.
5. Non-COMS based monitoring -- each owner or operator employing non COMS based monitoring shall submit a monitoring summary report and an excursion report to the Director on a quarterly basis (within 30 days of the end of the quarter). The Director may require more frequent reporting if deemed necessary to assess the compliance of the fuel burning units. The monitoring summary report shall contain the information and be in a format approved by the Director. Ref. 45 CSR 10A, § 7.2.b.
- a. If the total number of excursions for the reporting period is less than four percent (4%) of the total number of readings for the reporting period and the number of readings missing for the reporting period is less than five percent (5%) of the total number of readings agreed upon in the monitoring plan, the monitoring summary report shall be submitted to the Director, and the excursion report shall be maintained on-site and shall be submitted to the Director upon request. Ref. 45 CSR 10A, § 7.2.b.1.
  - b. If the number of excursions for the reporting period is four percent (4%) or greater of the total number of readings for the reporting period or the number of readings missing for the reporting period is five percent (5%) or greater, the monitoring plan summary report and the excursion report shall both be submitted to the Director. Ref 45 CSR 10A, § 7.2.b.2.
6. The CEMS excursion and monitoring report shall be in format approved by the Director and shall include the following information. Ref. 45 CSR 10 A, § 7.2.b.3.
- a. The magnitude of each excursion, and the date and time, including starting and ending times of each excursion. Ref. 45 CSR 10A, § 7.2.b.3.A.
  - b. Specific identification of each excursion that occurs during startups, shutdowns, and malfunctions of the facility. Ref. 45 CSR10A, § 7.2.b.3.B.
  - c. The nature and cause of any malfunction (if known), and the corrective action taken and preventive measures adopted. Ref. 45 CSR 10A, § 7.2.b.3.C.

- d. The date and time identifying each period during which quality assured data was unavailable, except for zero and span checks, and the reason for data unavailability and the nature of the repairs or adjustments to the monitoring system. Ref. 45 CSR 10A, § 7.2.b.3.D.
- e. When no excursions have occurred or there were no periods of quality assured unavailability, and no monitoring systems were inoperative, repaired, or adjusted, such information shall be stated in the report. Ref. 45 CSR 10A, § 7.2.b.3.E.

**D. Auxiliary Stack Recordkeeping and Reporting**

- 1. Recordkeeping, and Exception Reporting Requirements: The Rivesville Power Station auxiliary boilers (and stack) are exempt from the Testing, Monitoring, Recordkeeping, and Reporting requirements found under 45 CSR 10, § 8 because the fuel burning unit(s) combust natural gas and/or distillate oil. Ref 45 CSR 10, §10.